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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,074	06/16/2000	Kevin Wilson	55092 CCD	9748
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Christopher C Dunham c/o Cooper & Dunham LLP 1185 Avenue of the Americas			EXAMINER	
			IMAM, ALI M	
New York, NY	10036		ART UNIT	PAPER NUMBER
			3737	
			DATE MAILED: 12/06/2001	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner Ail Imam 3737								
Examiner All Imam - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - set of XI, 9) MONTH from the realing date of this communication if the period reply specified above is best his thirty (30) days, a reply within the standardory information of the property of the considered timely if the period reply specified above is best than the Try (30) days, a reply within the standardory minerum of thirty (30) days will be considered timely if a period is the period of the communication if a period is the period of the communication of the period of the communication of the communication of the period of the communication of the communication of the period of the period of the communication of the period of the pe		Application No.	Applicant(s)					
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	2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informa	*					

Application/Control Number: 09/595,074

Art Unit: 3737

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.
- 2. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Mendlein et al. (US 6,013,031). Mendlein teaches in col. 1, line 57- col. 3, line 50, a method and apparatus for determining bone characteristics by steps and structures for disposing a pair of ultrasonic transducers (col. 2, line 47) made of polyvinylidene fluoride (col. 8, lines 45-47), ultrasonically coupling both transducers to a bone-containing animal portion (see Fig. 7C), electrically emerging the transducers to transmit by one and receive by the other transducer ultrasonic signals, detecting the signals and evaluating the signals for determining bone characteristics. In col. 1, line 17, Mendlein teaches that the method is being used for non-invasive assessment of bone status in patients with osteoporosis.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sear et al. (US 4,156,800) and Miwa (US 4,564,019) are cited to show that piezoelectric transducer made of copolymer is well known in art of ultrasonic measurement of bone characteristics.

Art Unit: 3737

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Imam whose telephone number is 703-305-0028. The examiner can normally be reached on Mon. - Th., 8:00- 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marvin Lateef can be reached on 703-308-3256. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-0758 for regular communications and 703-308-0758 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

Ali Imam

November 29, 2001

Marvin M. Lateef Supervisory Patent Examiner

Main Ly

Group 3700

Attachment for PTO-948 (Rev. 03/01, or earlier) 6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein Identifying indicia, if provided, should include the title of the invention inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings MUST be filed within the THREE MONTH shortened statutory period set for reply in the Notice of Allowability. Extensions of time may NOT be obtained under the provisions of 37 CFR 1 136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, MUST be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings MUST be approved by the examiner before the application will be allowed. No changes will be permitted to be made other than correction of informalities, unless the examiner has approved the proposed changes

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a)

Failure to take corrective action within the set period will result in ABANDONMENT of the application.